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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,513	03/01/2004	Anthony Uy	064706-0038	1072

33401   7590   01/07/2009
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EXAMINER
LOVEL, KIMBERLY M

ART UNIT	PAPER NUMBER
2167	

MAIL DATE	DELIVERY MODE
01/07/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)	
Office Action Summary		10/790,513	UY ET AL.	
		Examiner	Art Unit	
		KIMBERLY LOVEL	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 October 2008</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9,11-13,16,18-35 and 37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9, 11-13, 16, 18-35 and 37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-9, 11-13, 16, 18-35 and 37 are rejected. Claims 10, 14, 15, 17 and 36

have been canceled.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 23

October 2008 has been entered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   **Claims 1-9, 11-13, 16, 18-35 and 37 are rejected under 35 U.S.C. 103(a) as**
being unpatentable over US PGPub 2002/0120561 to Chin et al (hereafter Chin) in
view of US Patent No 5,787,443 to Palmer (hereafter Palmer) in view of US PgPub
2005/0075955 to Milovina-Meyer et al (hereafter Milovina).

Referring to claim 1, Chin discloses a method for Harmonized Tariff Schedule

("HTS") auditing using a software user interface and a database coupled to the software

user interface using one or more layers of executable code comprising:

receiving by an importer from a customs broker a copy of an entry packet which

the customs broker previously submitted to U.S. Customs, the entry packet containing

information relating to a shipment for importation (see [0061]; [0076]; and [0119]); and

entering, by the importer [user], the copy of the entry packet into a first repository

in the database [memory unit 16] (see Fig 3 and [0120]).

Chin discloses the concept of an integrated system wherein the broker and the

importer have access to the networked electronic system which retains a copy of the

submitted data. Therefore, while Chin discloses allowing the importer to access the

submitted data, Chin fails to explicitly disclose the concept of the importer physically

receiving the packet. Milovina-Meyer discloses an electronic customs invoice system

(see abstract), including the further concept of receiving by an importer [user] from a

customs broker a copy of an entry packet which the customs broker previously

submitted to U.S. Customs, the entry packet containing information relating to a

shipment for importation [all customs invoices having the same consignee code are sent

to the email address; to view, edit and print the customs invoice, the customs broker or

user logs onto their client device and accesses their email account to download the file]

(see [0024] and [0028]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the email process of Milovina-Meyer to supply a copy of the data

contained in the networked system disclosed by Chin to the importer. One would have

been motivated to do so in order to supply the importer with documentation that can be

archived since importers typically face significant financial risk if any of the participants

in the import process make an error (Chin: see [0022], lines 5-6).

However, the combination of Chin and Milovina-Meyer (hereafter Chin/Milovina)

fails to explicitly disclose the further limitations of consulting, by the importer, a second

repository in the database, the second repository containing records of the importer

relevant to a plurality of imported goods; comparing, by the importer, the entry packet in

the first repository with the records in the second repository; identifying, by the importer,

one or more discrepancies between the entry packet and the records, thereby auditing

the entry packet; and generating, by the importer, a report identifying the one or more

discrepancies between the entry packet and the records. Palmer discloses two

separate databases containing entered data, including the further limitations of

entering a copy of the packet into a first repository in the database (see column

4, lines 1-5);

consulting a second repository in the database, the second repository containing records relevant to a plurality of goods [compare primary and secondary data blocks of reference database] (see Fig 4);

comparing the packet in the first repository with the records in the second repository [compare primary and secondary data blocks of reference database] (see Fig 4);

identifying one or more discrepancies between the packet and the records, thereby auditing the entry packet [indicate unmatched secondary data blocks] (see Fig 4); and

generating a report [a message indicating errors] identifying the one or more discrepancies between the copy of the packet and the records [indicate unmatched secondary data blocks] (see Fig 4).

Palmer fails to explicitly disclose wherein an importer is performing each of the above steps and wherein the records are relevant to imported goods. It would be obvious to one of ordinary skill to apply the steps to an importer and imported goods since a particular type of user and the purpose of the records has no effect on the concept that errors in database records can begin with the data originator occur upon entry into the database (Palmer: see column 1, lines 12-31).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the method of determining database accuracy disclosed by Palmer to audit the entry packets of Chin/Milovina. One would have been motivated to do so

since importers typically face significant financial risk if any of the participants in the import process make an error (Chin: see [0022], lines 5-6).

Referring to claim 2, the combination of Chin/Milovina and Palmer (hereafter Chin/Milovina/Palmer) discloses the HTS audit method of claim 1 wherein the report is used to identify [indicate unmatched secondary data blocks] and correct errors [Correct Errors] relating to importation (Palmer: see Fig 4; also see Milovina-Meyer: [0028] – editing certain fields to ensure data integrity).

Referring to claim 3, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the software user interface comprises links [links on a website] from the first repository to the second repository (Chin: see [0019], lines 11-13).

Referring to claim 4, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the copy of the entry packet is received by the importer from the customs broker in an electronic format [loaded from electronic media provided by the data originator] (Palmer: see column 1, lines 21-25; also Milovina-Meyer: see [0024] and [0028] – (all customs invoices having the same consignee code are sent to the email address; to view, edit and print the customs invoice, the customs broker or user logs onto their client device and accesses their email account to download the file).

Referring to claim 5, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the entry packet comprises a 7501 Customs form (Chin: see [0120], lines 1-2).

     Referring to claim 6, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the copy of the entry packet comprises a commercial invoice for the imported goods (Chin: see [0030], lines 7-9).

     Referring to claim 7, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the copy of the entry packet comprises a shipping manifest [manifest] (Chin: see [0117] and [0124]).

     Referring to claim 8, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the comparing the copy of the entry packet with the records comprises comparing HTS classifications assigned by the customs broker to HTS classifications stored in a product dictionary in the second repository (Palmer: see column 3, lines 17-59; also see Milovina: [0019], lines 6-12; [0024]; [0028], lines 11-12).

     Referring to claim 9, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the comparing the entry packet with the records comprises comparing attribute classifications assigned by the customs broker to attribute classifications located in the second repository (Palmer: see column 3, lines 17-59; also see Milovina: [0019], lines 6-12; [0024], lines 11-12).

     Referring to claim 11, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the report [QC report] comprises data containing a list of errors based on the identified discrepancies (Palmer: see column 5, line 25 – column 6, line 19).

     Referring to claim 12, Chin/Milovina/Palmer discloses the HTS audit method of claim 1 wherein the entry packet comprises a Customs 7501 form (Chin: see [0120],

lines 1-2), a commercial invoice (Chin: see [0030]), and a shipping manifest [manifest]

(Chin: see [0117] and [0124]).

Referring to claim 13, Chin/Milovina/Palmer discloses the HTS audit method of

claim 1 wherein the identifying the one or more discrepancies is performed by a second

user in a supervisory position over the importer [data can be provided by separate

users] (Palmer: see column 3, line 63—column 4, line 5).

Referring to claim 16, Chin discloses an apparatus for auditing of Harmonized

Tariff Schedule ("HTS") classification for U.S. Customs importation, comprising: a

database comprising internal records of the importer relevant to Harmonized Tariff

Schedule CHTS") classifications and (ii) software user interface means for accessing

the database comprising (a) receive electronic entry packets (see Fig 3 and [0120]).

Chin discloses the concept of an integrated system wherein the broker and the

importer have access to the networked electronic system which retains a copy of the

submitted data. Therefore, while Chin discloses allowing the importer to access the

submitted data, Chin fails to explicitly disclose the concept of the importer physically

receiving the packet. Milovina-Meyer discloses an electronic customs invoice system

(see abstract), including the further concept of receiving by an importer [user] from a

customs broker a copy of an entry packet which the customs broker previously

submitted to U.S. Customs, the entry packet containing information relating to a

shipment for importation [all customs invoices having the same consignee code are sent

to the email address; to view, edit and print the customs invoice, the customs broker or

user logs onto their client device and accesses their email account to download the file]

(see [0024] and [0028]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the email process of Milovina-Meyer to supply a copy of the data

contained in the networked system disclosed by Chin to the importer. One would have

been motivated to do so in order to supply the importer with documentation that can be

archived since importers typically face significant financial risk if any of the participants

in the import process make an error (Chin: see [0022], lines 5-6).

Chin/Milovina fails to explicitly disclose the further limitations of the software

program suite configured to: receive electronic entry packets; enable a user at the

computer terminal to compare one of the entry packets to the internal records; and

enable the user to generate a report comprising discrepancies between the one of the

entry packets and the internal records. Palmer discloses two separate databases

containing entered data (see column 4, lines 1-5), including the further limitations of

a computer terminal [computer 2] (see Fig 1);

a user interface accessible from the computer terminal [screen 7 of display 6 is

used to present a graphical user interface] (GUI) (see column 2, lines 51-52); and

a software program suite coupled to the database and to the user interface (see

column 3, lines 1-17), the software program suite configured to:

receive electronic entry packets (see column 3, line 60 – column 4, line 5);

enable a user at the computer terminal to compare one of the entry

packets to the internal records [compare primary and secondary data blocks of

reference database] (see Fig 4); and

enable the user to generate a report [a message indicating errors] comprising

discrepancies between the one of the entry packets and the internal records [indicate

unmatched secondary data blocks] (see Fig 4 and column 5, line 25 – column 6, line

18).

Palmer fails to explicitly disclose wherein an importer is performing each of the

above steps and wherein the records are relevant to imported goods. It would be

obvious to one of ordinary skill to apply the steps to an importer and imported goods

since a particular type of user and the purpose of the records has no effect on the

concept that errors in database records can begin with the data originator occur upon

entry into the database (Palmer: see column 1, lines 12-31).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the method of determining database accuracy disclosed by Palmer to

audit the entry packets of Chin/Milovina. One would have been motivated to do so

since importers typically face significant financial risk if any of the participants in the

import process make an error (Chin: see [0022], lines 5-6).

Referring to claim 18, Chin/Milovina/Palmer discloses the system of claim 16

wherein the report is used to identify and correct errors relating to importation (Palmer:

see column 5, line 25 – column 6, line 18).

Referring to claim **19**, Chin/Milovina/Palmer discloses the system of claim 16 wherein the report comprises data containing a list of errors based on the identified discrepancies (Palmer: see column 5, line 25 – column 6, line 18).

Referring to claim **20**, Chin/Milovina/Palmer discloses the system of claim 16 further comprising a second computer terminal through which the user interface is accessible (Palmer: see column 2, lines 48—column 3, line 17).

Referring to claim **21**, Chin/Milovina/Palmer discloses the system of claim 20 wherein the second terminal is configured to enable a second user to compare some of the copy of the entry packets to the internal records (Palmer: see column 5, line 25 – column 6, line 18).

Referring to claim **22**, Chin/Milovina/Palmer discloses the system of claim 16 wherein the entry packets comprise a Customs 7501 form (Chin: see [0120], lines 1-2), a commercial invoice (Chin: see [0030]), and a shipping manifest [manifest] (Chin: see [0117] and [0124]).

Referring to claim **23**, Chin/Milovina/Palmer discloses the system of claim 16 wherein the software interface comprises software navigational links (Palmer: see column 2, lines 48-67).

Referring to claim **24**, Chin discloses a Harmonized Tariff Schedule ("HTS") classification method for auditing entry packets for U.S. Customs comprising:

inserting, using a software user interface, an entry packet into a database [memory unit 16] (see Fig 3 and [0120]).

Chin discloses the concept of an integrated system wherein the broker and the importer have access to the networked electronic system which retains a copy of the submitted data. Therefore, while Chin discloses allowing the importer to access the submitted data, Chin fails to explicitly disclose the concept of the importer physically receiving the packet. Milovina-Meyer discloses an electronic customs invoice system (see abstract), including the further concept of receiving by an importer [user] from a customs broker a copy of an entry packet which the customs broker previously submitted to U.S. Customs, the entry packet containing information relating to a shipment for importation [all customs invoices having the same consignee code are sent to the email address; to view, edit and print the customs invoice, the customs broker or user logs onto their client device and accesses their email account to download the file] (see [0024] and [0028]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the email process of Milovina-Meyer to supply a copy of the data contained in the networked system disclosed by Chin to the importer. One would have been motivated to do so in order to supply the importer with documentation that can be archived since importers typically face significant financial risk if any of the participants in the import process make an error (Chin: see [0022], lines 5-6).

However, Chin/Milovina fails to explicitly disclose the further limitations of comparing data in the entry packet to internal records located in the database; identifying one or more errors between the data and the internal records; and

generating a report comprising the errors. Palmer discloses two separate databases
containing entered data (see column 4, lines 1-5), including the further limitations of:

   comparing data in the entry packet to internal records located in the database
[compare primary and secondary data blocks of reference database] (see Fig 4);

   identifying one or more errors between the data and the internal records [indicate
unmatched secondary data blocks] (see Fig 4); and

   generating a report [a message indicating errors] comprising the errors [indicate
unmatched secondary data blocks] (see Fig 4 and column 5, line 25 – column 6, line
18).

   Palmer fails to explicitly disclose wherein an importer is performing each of the
above steps and wherein the records are relevant to imported goods. It would be
obvious to one of ordinary skill to apply the steps to an importer and imported goods
since a particular type of user and the purpose of the records has no effect on the
concept that errors in database records can begin with the data originator occur upon
entry into the database (Palmer: see column 1, lines 12-31).

   It would have been obvious to one of ordinary skill in the art at the time of the
invention to utilize the method of determining database accuracy disclosed by Palmer to
audit the entry packets of Chin/Milovina. One would have been motivated to do so
since importers typically face significant financial risk if any of the participants in the
import process make an error (Chin: see [0022], lines 5-6).

Referring to **claim 25**, Chin/Milovina/Palmer discloses the method of claim 24 wherein the copy of the entry packet comprises a 7501 U.S. Customs form (Chin: see [0120], lines 1-2).

Referring to **claim 26**, Chin/Milovina/Palmer discloses the method of claim 24 wherein the database further comprises a plurality of repositories, including a repository for storing the copy of the entry packet and at least one repository for storing the internal records [pair of databases] (see column 1, lines 57 – column 2, line 9).

Referring to **claim 27**, Chin/Milovina/Palmer discloses the method of claim 26 wherein one of the at least one repository comprises a decision tree database of HTS classifications (Palmer: see column 3, lines 11-59).

Referring to **claim 28**, Chin/Milovina/Palmer discloses the method of claim 24 wherein the comparing is performed by a user working for the importer (see column 3, line 60 – column 4, line 5).

It would be obvious to one of ordinary skill to apply the steps to a user working for the importer since a particular type of user has no effect on the concept that errors in database records can begin with the data originator occur upon entry into the database (Palmer: see column 1, lines 12-31).

Referring to **claim 29**, Chin/Milovina/Palmer discloses the method of claim 24 wherein the report is used to identify [indicate unmatched secondary data blocks] and correct errors [Correct Errors] relating to importation (Palmer: see Fig 4).

Referring to claim 30, Chin/Milovina/Palmer discloses the method of claim 24
wherein the software user interface is accessible from a plurality of user terminals
(Palmer: see Fig 1 and Fig 2).

Referring to claim 31, Chin/Milovina/Palmer discloses the method of claim 24
wherein the copy of the entry packet is obtained from the customs broker in an
electronic format [loaded from electronic media provided by the data originator] (Palmer:
see column 1, lines 21-25).

Referring to claim 32, Chin/Milovina/Palmer discloses the method of claim 24
wherein the inserting the entry packet is performed by an analyst working for the
importer [data can be provided by separate users] (Palmer: see column 3, line 63—
column 4, line 5).

Referring to claim 33, Chin/Milovina/Palmer discloses the method of claim 24
wherein the internal records are organized in an internal-to-commodity map (Palmer:
see column 3, lines 11-59; Milovina: see [0024]).

Referring to claim 34, Chin discloses an apparatus for auditing of Harmonized
Tariff Schedule ("HTS") classification for U.S. Customs importation, comprising: (ii)
software user interface means for accessing the database comprising (a) input means
for entering entry packets (see Fig 3 and [0120]).

Chin discloses the concept of an integrated system wherein the broker and the
importer have access to the networked electronic system which retains a copy of the
submitted data. Therefore, while Chin discloses allowing the importer to access the
submitted data, Chin fails to explicitly disclose the concept of the importer physically

receiving the packet. Milovina-Meyer discloses an electronic customs invoice system

(see abstract), including the further concept of receiving by an importer [user] from a

customs broker a copy of an entry packet which the customs broker previously

submitted to U.S. Customs, the entry packet containing information relating to a

shipment for importation [all customs invoices having the same consignee code are sent

to the email address; to view, edit and print the customs invoice, the customs broker or

user logs onto their client device and accesses their email account to download the file]

(see [0024] and [0028]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the email process of Milovina-Meyer to supply a copy of the data

contained in the networked system disclosed by Chin to the importer. One would have

been motivated to do so in order to supply the importer with documentation that can be

archived since importers typically face significant financial risk if any of the participants

in the import process make an error (Chin: see [0022], lines 5-6).

Chin/Milovina fails to explicitly disclose the further limitations of (i) database

comprising a plurality of repositories; (b) comparison means for comparing entry

packets with internal records in some of the plurality of repositories; (c) report-

generating means for creating reports identifying inconsistencies between the entry

packets and the internal records; and (iii) a plurality of remote terminals through which

the software user interface is accessible by one or more users.

Palmer discloses two separate databases containing entered data (see column

4, lines 1-5), including the further limitations of

(i) database comprising a plurality of repositories (see column 1, lines 59-60);

(b) comparison means for comparing entry packets with internal records in some of the plurality of repositories [compare primary and secondary data blocks of reference database] (see Fig 4);

(c) report-generating means for creating reports identifying inconsistencies between the entry packets and the internal records [indicate unmatched secondary data blocks] (see Fig 4).

(iii) a plurality of remote terminals through which the software user interface is accessible by one or more users (see column 2, lines 48-67).

Palmer fails to explicitly disclose wherein an importer is performing each of the above steps and wherein the records are relevant to imported goods. It would be obvious to one of ordinary skill to apply the steps to an importer and imported goods since a particular type of user and the purpose of the records has no effect on the concept that errors in database records can begin with the data originator occur upon entry into the database (Palmer: see column 1, lines 12-31).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the method of determining database accuracy disclosed by Palmer to audit the entry packets of Chin/Milovina. One would have been motivated to do so since importers typically face significant financial risk if any of the participants in the import process make an error (Chin: see [0022], lines 5-6).

Referring to claim 35, Chin/Milovina/Palmer discloses the apparatus of claim 34 wherein reports from the report-generating means are used to correct errors [Correct Errors] in importation (Palmer: see Fig 4).

Referring to claim 37, Chin/Milovina/Palmer discloses the method of claim 1 wherein the software user interface comprises links from the first repository to the second repository (Chin see [0019], lines 11-13); the copy of the entry packet is received by the importer from the customs broker in an electronic format (Palmer: see column 1, lines 21-25); the entry packet comprises a 7501 Customs form (Chin: see [0120], lines 1-2), a commercial invoice for the imported goods (Chin: see [0030], lines 7-9), and a shipping manifest; the comparing the copy of the entry packet with the records comprises comparing HTS classifications assigned by the customs broker to HTS classifications stored in a product dictionary in the second repository (Milovina: see [0024]); the comparing the entry packet with the records comprises comparing attribute classifications assigned by the customs broker to attribute classifications located in the second repository (Palmer: see Fig 4; Milovina: see [0024]); and the report comprises data containing a list of errors based on the identified discrepancies (Palmer: see column 5, line 25 – column 6, line 18).

*** Response to Arguments ***

6.   Applicant's arguments with respect to claims 1-9, 11-13, 16, 18-35 and 37 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Lovel whose telephone number is (571) 272-2750. The examiner can normally be reached on 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John R. Cottingham/   /Kimberly Lovel/
Supervisory Patent Examiner, Art Unit 2167   Examiner
                                                        Art Unit 2167

4 January 2009
/kml/